IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO : 1069 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 29/01/2004 in WP NO : 1572 OF 2004 on the file of the High Court.)

Between:

Syed Maqdoom Mohiuddin, S/o Srui Syed Zamaluddin Ali Khan,
R/o USA, Rep. by its GPA Holder, Mr. Ghouse Mohiuddin S/o Late Mr,. Amir Ali Khan, age 50 yrs, Occ: Business, R/o 9-4-77/'3/23,Yousuf Tekri Colony, Toli Chowki, Hyderabad.

..... APPELLANT

AND

1 Municipal Corporation of Hyderabad, Rep. by its Commissioner, MCH Complex, Tank Bund Road, Hyderabad.
2 M/s Reliance Builders, Rep. by its Managing Partner Sri Srinivas Rao, r/o. Plot No. 101 and 102, Venkatarama Towers, H.No. 3-6-69, Basheerbagh, Hyderabad.
3 Reliance Krishna Owners Welfare Association, Rep. by its President, Smt. Sundari Krishna, R/o 5-10-197, Hill Forte Road, Hyderabad.

.....RESPONDENTS

Counsel for the Appellant: MR.FAZAL YOUSUFFUDIN

Counsel for the Respondent No 1.: MR.RAMA RAO GANTA, SC for M.C.H.

Counsel for the Respondent Nos.2&3: None appeared.

The Court made the following :

ORAL JUDGMENT(per Hon'ble the Chief Justice):

Learned single Judge declined to entertain the writ petition on the ground that admittedly suits were pending in Civil Courts filed by the petitioner/appellant against respondent -Municipality with regard to property in question and that if any order is passed in the writ petition, it would cause prejudice to the parties in the suits. Therefore, it will be but appropriate that party should agitate his claim before the said court. With such an order, there is no scope for interference in the appeal.

Accordingly writ appeal is dismissed. No costs.

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DEVINDER GUPTA, C.J.

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C.V. RAMULU, J

Dt. 21-7-2004

Kvrk

To

1. The Commissioner, Municipal Corporation of Hyderabad, MCH Complex, Tank Bund Road, Hyderabad.
2. Two CD copies.